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L Press Guidance
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Council of Europe's Inquiry into Secret Prisons / Rendition Flights

Question:

Does the State Department have any comment on the Council of Europe's Committee on Legal Affairs and Human Rights report on their inquiry into allegations concerning secret prisons and rendition flights?

Answer:

- We have seen the report that Dick Marty delivered Tuesday [at the meeting of the Parliamentary Assembly of the Council of Europe's Committee on Legal Affairs and Human Rights, which Mr. Marty chairs].
- The Secretary spoke to these issues at length in her statement and in subsequent public remarks last week; we provided a copy of those remarks to Mr. Marty on December 7.
- We are not in a position to comment further at this time.

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Background:

Dick Marty reported yesterday on his inquiry into the alleged secret detention centers and rendition flights in COE member states. Among other things, Marty reported that information he has gathered to date reinforces the credibility of allegations concerning the transfer and temporary detention of individuals, without any judicial involvement, in European countries. He noted too that the allegations have never been formally denied by the United States. Specifically, Marty deplored the fact that no information or explanations had been provided on this point by Secretary Rice during her visit to Europe.

Marty also said that his Committee has sent letters requesting information to Poland and Romania, and to the Permanent Observer of the United States to the Council of Europe, as well as to the Director General of Eurocontrol and the Director of the European Union Satellite Centre (EUSC). The Committee has called on the Council of the EU to intercede with EUSC to get authorization for access to the relevant data. Marty also welcomed the opening by Council of Europe of an Article 52 (of the European Convention on Human Rights) investigation permitting requests for relevant information from the parties to that Convention.

Marty urged all COE member governments to commit themselves fully to establishing the truth about alleged rendition flights over their territories in recent years. He said he intends to ask the leaders of the parliamentary delegations to the Assembly to take initiatives within their parliaments in order to obtain more precise information, either by putting questions to their governments or by setting up of committees of inquiry.

Marty said that the seriousness of the allegations and the consistency of the information gathered to date justify an in-depth inquiry. Marty's statement said that, if the allegations proved correct, the member states concerned would stand accused of having seriously breached their human rights obligations to the Council of Europe. He announced that the Committee on Legal Affairs and Human Rights will ask the Bureau of the Assembly to include in the order of business of the next PACE's plenary session (January 23-27 2006) an urgent debate on the subject.

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